

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA,
NORTHERN DIVISION
RECEIVED

Richard Wayne Wright, Sr., *
Plaintiff, Pro-Se., * Civil Action No.
VS * 2:05-CV-439-A-WO
Sylvester Nettles, et.al., *
Defendants. *

Plaintiff Wright Motion To Objection To
THE Magistrate Judge Recommendation
Denying Plaintiff Motion For Filing
Criminal Charges

I Richard Wayne Wright, Sr, Am the plaintiff, Pro-se., in the above (said) Motion. I respectfully Come before the Honorable Charles S. Coody (Chief United States Magistrate Judge) In objection to the order pass down on the 5th day of ^{R.W.W.} January, 2006, Concerning this Honorable Court denial of Plaintiff motion (Court Dec. No: 94) within [the] recommendation.

Plaintiff Wright has made efforts to File Criminal Charges For assault against Sgt. S. Carter (Co. II) (initiated the assault on November 23, 2005); Roosevelt Brown (Co. ^{R.W.W.} I) aided Sgt. S. Carter in beating plaintiff ' Kicking and hitting

him with his stick'); Levy Richardson aided in placing restraint, but fail to stop or attempt to stop his co-workers, neither did he properly inform his supervisor(s) of these officer conduct. Plaintiff has submitted assault charges in the form of a motion he filed and mailed to the Barber County Circuit Court, plaintiff attach this motion to the motion (he) mailed to this Honorable Court (Court Doc. No. 94). In the attach motion this Honorable Court could see plaintiff sent circulated copies, but have not received any response from those motion with the exception of this Honorable Court.

This has not been plaintiff only attempt, (see) the letter I attach with this motion and ^{R.W.W} envelope it was mailed (it was mailed in) as exhibits (I) and (IA). These letter was wrote and mailed to Mr. Eric Demus (Investigator) For the Alabama Department of Correction A.D.O.C. (I & I) division. (see Exhibit (I) and (IA)).

Plaintiff believes (he) applied his efforts righty in the scope of the law, yet they avail so very little. Plaintiff is subjected to face another attack by Sgt. S. Carter because he is allowed continually to come into this (seg.) Cell, located in the infirmary (as if) they never

assaulted plaintiff. The Department of Justice (D.O.J) Standards 23-4.9 Physical Security states: "(Prisoner should be entitled to a healthful place in which to live and to protection from personal injuries, disease, property damages, and personal abuse or harassment, including sexual assault or manipulation.). These acts of retaliation as a direct result and part of the instant Cause of Action against plaintiff. The defendants should not be allowed to retaliate in any form, more less than permitted to inflict more physical and mental pain upon plaintiff.

Plaintiff has attempted to and Filed Criminal Charges, so that, arrest warrant or summons can be issued according to his Complaint and Fed. R. Crim. Proc., Rule(4), but all plaintiff attempts have become empty efforts, thus far. I don't know the statutes/ Codes to apply to this Complaint to have Criminal Charges Filed in addition (or if there is any) so if, there are statutes/ Codes which can be applied and it is within the limits of this Honorable Court discretion, plaintiff ask

that this Honorable Court apply (Such) Codes/ Statutes in the absents of plaintiff ability to state it in this (Said) motion.

The United States Supreme Court has stated: (stating that "the reason why ... retaliation offends the Constitution is that it threatens to inhibit exercise of the protection right") (see *Crowford-EL V. Britton*, 523 U.S. 574, 588 n.10 (1998)). Being that defendant conduct is impermissible (or should be) when done for retaliatory reasons plaintiff seeks (Such) relief.

Relief Sought

A protection order/ restraining order being placed at the least (temporarily) against defendants / defendant's agents Sgt. S. Carter (Co. II); Roosevelt Brown (Co. I); Levy Richardson (Co. I); the Forth (4th) officer not yet identified "Whom" drag plaintiff into the small room. A physical examination be personal (not) associated with (A.D.O.C.) to properly assess plaintiff injuries added on November 23, 2005. Monetary Damages in the amount of one hundred thousand dollars (\$100,000). Upon discovery of the true injuries plaintiff

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Plaintiff suffered ^{R.W.W.} and encountered during defendant's assault to (his) Face, neck back, Fore arm and legs not to exclude problems in his joints, that injunction/ order upon defendant to ensure plaintiff get proper therapy if needed. All cost plaintiff has been charge, Cost of Court Filing Fee's, Cost of Copies, Co-payments (medical) ect. Injunction For plaintiff safety and health (restraining orders / protection orders, ect.) upon defendant. Any other relief plaintiff has requested in previous Complaint / motions and any other relief this Honorable Court deems plaintiff is intitled too. IF this motion is not in its proper Form plaintiff ask that this Honorable Court Construe ^{R.W.W.} ~~into~~ it into its proper Form For Filing.

Done this the 17th day of 1
 January, 2006.

Respect Fully Submitted

Richard W. Wright, Sr.

Richard Wayne Wright, Sr. #187140

Ventress Correctional Facility

Infirmery Room # 103

Post Office Box 767

Clayton, Alabama 36016

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Certificate of Service

I Richard Wayne Wright, Sr. am the Plaintiff, Pro. se and hereby Certify that I have mailed a copy of this motion to the clerk of (said) Court and ask that a copy be sent to defendant(s) Counsel's due to plaintiff indigent status. By placing (said) motion properly address to respected person(s) and the additional postage needed for First Class postage be provided by ~~prison~~^{R.W.W.} proper prison official at Ventress Correctional Facility through inmates legal mail service. By placing this in the hand of the on duty officer on this the 18th^{R.W.W.} day of January 2006, to be forward as requested to the defendant Counsel's as listed below.

Gregory F. Vaghmai
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 Scott, Sullivan, Streetman & Fox, P.C.
 2450 Valleydale Road
~~Birmingham~~^{Birmingham}
 Birmingham, Alabama 35244

Troy King (Attorney General)
 ASB - 5949 SCIS
 Steven Mallette ~~General~~^{R.W.W.} Sirmon
 (Assistant Attorney General)
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Alabama Board Pardon and Paroles
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Montgomery, Alabama 36130

David B. Block (ASB-5098-K62D)
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Kim T. Thomas
Gregory Marion Biggs
Alabama Department of Correction
Legal Division
301 Ripley Street
Montgomery, Alabama 36130

Done this the 18th day of
January, 2006.

Respectfully Submitted,

Richard W. Wright, Jr.

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